

To:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court United States District Court for the Western District of Washington on the following: X Patents or _____ Trademarks:

DOCKET NO.	DATE FILED	US District Court
2:08-cv-00368-RAJ	3/4/08	United States District Court for the Western District of Washington
PLAINTIFF	DEFENDANT	
Cequint Inc.	TECMobile Software LLC	
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. See attached page for patent numbers <u>7,200,212</u>	6.	11.
<u>2. 6,353,664</u>	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY			
	Amendment	Answer	Cross Bill	Other Pleading
PATENT OR TRADEMARK NO.				
1.	6.	11.		
2.	7.	12.		
3.	8.	13.		
4.	9.	14.		
5.	10.	15.		

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
Bruce Rifkin	PM	3/5/08

FILED
LODGED
ENTERED
RECEIVED

MAR 04 2008 LK

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CEQUINT, INC.,

Plaintiff,

v.

TECMOBILE SOFTWARE, LLC,

Defendant.

Civil Action No

C 08 - 0368 RAJ

COMPLAINT FOR PATENT
INFRINGEMENT

JURY TRIAL REQUESTED

Plaintiff Cequint, Inc. ("Cequint") hereby alleges the following causes of action against Defendant TECMobile Software, LLC ("TECMobile"):

I. PARTIES

1. Cequint is a corporation organized and existing under the laws of the state of Washington, having its principal place of business at 1525 Fourth Avenue, Suite 700, Seattle, Washington.

2. TECMobile is Utah limited liability company having a principal place of business at 1877 South River Run Drive, Huntsville, Utah 84317. TECMobile's registered agent is Randy Harris at the same address.



08-CV-00368-CMP

BLACK LOWE & GRAHAM PLLC

COMPLAINT - 1
CQNT-S-1003PO1CMP

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Seattle, Washington 98104
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1 **II. JURISDICTION AND VENUE**

2 3. This action arises under the patent laws of the United States, particularly
3 including 35 U.S.C. § 271 and § 281. Jurisdiction is conferred upon this Court pursuant to
4 28 U.S.C. §§ 1331 and 1338(a).

5 4. TECMobile markets and sells the accused infringing product under the brand
6 *AreaCode2* via such interactive Internet websites as www.clickapps.com, www.handango.com,
7 www.windowsmarketplace.com and www.symbian.com. TECMobile has offered for sale its
8 *AreaCode2* product to residents throughout the United States and, in particular, to residents of
9 this judicial district with the intent that the product be used by the consuming public, including in
10 the Western District of Washington. On information and belief, the *AreaCode2* product has been
11 sold and provided to customers in the Western District of Washington. TECMobile knew and
12 intended that its infringing *AreaCode2* product would be provided to consumers in Western
13 Washington. On information and belief, TECMobile carried out general business in the Western
14 District of Washington, and by virtue of this systematic contact has established a business
15 presence in this district. Accordingly, both jurisdiction and venue are proper in this court.
16 28 U.S.C. §§ 1391 and 1400.

17 **III. CEQUINT'S PATENT RIGHTS**

18 5. Cequent is in the business of developing, patenting, and licensing software
19 products for telephonic communications through carriers and handset manufacturers as well as
20 directly to consumers. Cequent has invested in the development and marketing of products for
21 mobile handsets, including the Blackberry and Windows Mobile platforms, such as its City ID™
22 product, which provides for the installation, use and updating of software that provides
23 geographic information on incoming calls.

24 6. Cequent is the assignee of U.S. Patent No. 7,200,212, issued April 3, 2007 to
25 Mark Gosselin and U.S. Patent No. 6,353,664, issued March 5, 2002 to Joseph M. Cannon,
26 James A. Johanson and Richard Lawrence McDowell (collectively "Patents-in-Suit"), both

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1 related to its telephonic communications products. Cequent owns the full right, title and interest
2 in the Patents-in-Suit, including the right to assert the claims and causes of action involved in
3 this complaint.

4 **IV. PATENT INFRINGEMENT**

5 7. The TECMobile product used, offered for sale and sold in the United States
6 infringes one or more claims of Cequent's Patents-in-Suit.

7 8. TECMobile's use, offer for sale, and sale of its infringing products has not been
8 under license or authority from Cequent.

9 9. TECMobile's activities constitute direct infringement, contributory infringement
10 and/or inducement to infringe one or more claims of the Patents-in-Suit pursuant to
11 35 U.S.C. § 271.

12 10. As a direct result of TECMobile's infringement of Cequent's Patents-in-Suit,
13 Cequent has suffered, and will continue to suffer, damages in an amount to be established at trial.
14 In addition, Cequent has suffered, and continues to suffer, irreparable harm for which there is no
15 adequate remedy at law.

16 11. On information and belief, TECMobile had actual knowledge of Cequent's
17 Patents-in-Suit and Cequent's patent rights before engaging in its infringing activity and before
18 the filing of this complaint. Cequent has and continues to provide notice of its patent rights
19 through marking of commercial embodiments of the Patents-in-Suit. Despite actual and/or
20 constructive knowledge of Cequent's Patents-in-Suit, TECMobile has continued to use, offer for
21 sale and sell its infringing product in the United States, including in Washington State.
22 TECMobile's infringement is therefore deliberate and willful and will continue unless enjoined
23 by this Court.

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V. PRAYER FOR RELIEF

Cequint requests the following alternative and cumulative relief:

1. Preliminary and permanent injunctions against the use, offer for sale and sale of any product made, used or sold by TECMobile that infringes Cequent's Patents-in-Suit;
2. An award of damages adequate to compensate for the infringement, but not less than a reasonable royalty for the use of the invention;
3. An award of treble damages pursuant to 35 U.S.C. § 284;
4. An award of reasonable attorneys' fees pursuant to 35 U.S.C. § 285;
5. An assessment of prejudgment interest and costs; and
6. Such other and further relief as the Court may deem just and proper.

RESPECTFULLY SUBMITTED this 4th day of March, 2008.

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